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REMARKS

This is a full and timely response to the outstanding Office Action mailed May 4, 2006. Upon entry of the amendments in this response claims 1-20 and 22-35 are pending. More specifically, claims 1, 16, 29, and 34 are amended. These amendments are specifically described hereinafter.

I. Present Status of Patent Application

Claims 1-3, 6-10, 12, 14, 16-19, 23-25, 27, 29, 32, and 34 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow, et al* (U.S. Patent No. 6,442,250). Claim 4 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Chuah, et al* (U.S. Patent No. 6,400,722). Claim 5 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Kozdon, et al* (U.S. Patent No. 6,456,601). Claim 11 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Rogers* (U.S. Patent No. 6,301,484). Claims 13, 20, and 22 are rejected under 35 U.S.C. 103 (a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Bookspan, et al* (U.S. Patent No. 6,363,888). Claims 15, 26, and 30 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Lewis* (U.S. Patent No. 6,513,019). Claims 28 and 31 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Ooe* (U.S. Patent No. 6,330,238). Claims 33 and 35 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Lewis* (U.S. Patent No. 6,513,019) in further view of *Bookspan, et al* (U.S. Patent No. 6,636,888). These rejections are respectfully traversed.

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II. Examiner Interview

Applicant first wishes to express sincere appreciation for the time that Examiner Gold spent with Applicant's representative Benjie Balser during an August 1, 2006 telephone discussion regarding the above-identified Office Action. During the interview, various features described in the patent application and recited in the independent claims, including transmitting to all components on a network, and *Troen-Krasnow* were discussed, and that the outcome of this discussion is addressed herein. During that conversation, Examiner Gold seemed to indicate that it would be potentially beneficial for Applicant to file this amendment and response. Thus, Applicant respectfully requests that Examiner Gold carefully consider this amendment and response.

III. Rejections Under 35 U.S.C. §103(a)

A. Claims 1-15

Claims 1-3, 6-10, 12, and 14 are rejected under 35 U.S.C 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow, et al* (U.S. Patent No. 6,442,250). Claim 4 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Chuah, et al* (U.S. Patent No. 6,400,722). Claim 5 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Kozdon, et al* (U.S. Patent No. 6,456,601). Claim 11 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Rogers* (U.S. Patent No. 6,301,484). Claim 13 is rejected under 35 U.S.C. 103 (a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Bookspan, et al* (U.S. Patent No. 6,363,888). Claim 15 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent

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No. 6,442,250) in further view of *Lewis* (U.S. Patent No. 6,513,019). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 1, as amended, recites:

1. A method for sending electronic mail from a client operating within a client-server architecture, the method comprising the steps of:

(a) provisioning the client with client non-email broadcast messaging software;

(b) provisioning a server with server non-email broadcast messaging software,

wherein the server is in communication with the client;

(c) broadcasting from the client a message in a format of the non-email broadcast messaging software, wherein the message contains the electronic mail;

(d) receiving the message at the server;

(e) reformatting the message from the format of the non-email broadcast messaging software to a format compatible with an email server; and

(g) forwarding the reformatted message to the email server;

wherein broadcasting includes transmitting a message from a single network component to all components on a network.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features/steps of the claim at issue. *See, e.g., In re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981). Applicant respectfully submits that independent claim 1 is allowable for at least the reason that the combination of *Brown*, *Troen-Krasnow*, *Chuah*, *Kozdon*, *Rogers*, and *Lewis* does not disclose, teach, or suggest at least **wherein broadcasting includes transmitting a message from a single network component to all components on a network**. Even if, *arguendo*, *Troen-Krasnow* discloses transmitting to a defined group of

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individuals, it does not disclose transmitting to all components on the network. None of *Brown*, *Chuah*, *Kozdon*, *Rogers*, and *Lewis* cure this deficiency.

As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 1, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 1 is allowable.

Because independent claim 1 is allowable over the cited references of record, dependent claims 2-14 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that dependent claims 2-14 contain all the steps/features of independent claim 1. *See Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002); *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, the rejection to claims 2-14 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 1, dependent claims 2-14 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited references of record. Hence, there are other reasons why dependent claims 2-14 are allowable.

B. Claims 16-20 and 22-28

Claims 16-19 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow, et al* (U.S. Patent No. 6,442,250). Claims 20 and 22 are rejected under 35 U.S.C. 103 (a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Bookspan, et al* (U.S. Patent No. 6,363,888). Claim 26 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Lewis* (U.S. Patent No. 6,513,019). Claim 28 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in

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further view of *Ooe* (U.S. Patent No. 6,330,238). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 16, as amended, recites:

16. A system for sending an electronic mail from a client in a client-server architecture, the system comprising:

(a) a plurality of clients, wherein each client of the plurality of clients contains client non-email broadcast messaging software, data processing software, and a client application program interface, and wherein each client is in communication with the plurality of clients;

(b) a non-email messaging server in communication with the plurality of clients, wherein the non-email messaging server contains server non-email broadcast messaging software and an email application program interface, wherein the email application program interface is adapted to receive a message containing the electronic mail and reformat the message from a format compatible with the server non-email broadcast messaging software to a format compatible with an email server; and

(c) an email server in communication with the messaging server;

wherein the broadcast messaging software is configured to transmit a message from a single network component to all components on a network.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 16 is allowable for at least the reason that the combination of *Brown*, *Troen-Krasnow*, *Bookspan*, *Lewis*, and *Ooe* does not disclose, teach, or suggest at least **wherein the broadcast messaging software is configured to transmit a message from a single network component to all components on a network**. Even if, *arguendo*, *Troen-Krasnow* discloses transmitting to a defined group of individuals, it does not

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disclose transmitting to all components on the network. None of *Bookspan*, *Lewis*, and *Ooe* cure this deficiency.

As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 16, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 16 is allowable.

Because independent claim 16 is allowable over the cited references of record, dependent claims 17-20 and 22-28 (which depend from independent claim 16) are allowable as a matter of law for at least the reason that dependent claims 17-20 and 22-28 contain all the steps/features of independent claim 16. Therefore, the rejection to claims 17-20 and 22-28 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 16, dependent claims 17-20 and 22-28 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited references of record. Hence, there are other reasons why dependent claims 17-20 and 22-28 are allowable.

C. Claims 29-33

Claims 29 and 32 are rejected under 35 U.S.C 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow, et al* (U.S. Patent No. 6,442,250). Claims 30 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Lewis* (U.S. Patent No. 6,513,019). Claim 31 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Ooe* (U.S. Patent No. 6,330,238). Claim 33 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Lewis* (U.S. Patent No. 6,513,019) in further view of *Bookspan, et al* (U.S. Patent No. 6,636,888). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

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Independent claim 29, as amended, recites:

29. A method for sending an electronic mail comprising the steps of:

- (a) broadcasting from a client computer a message in a broadcast format, wherein the message contains the electronic email, wherein the client computer is part of a client-server architecture, and wherein the client computer does not have electronic mail software;
- (b) receiving the message at a server computer of the client-server architecture;
- (c) reformatting the message from the broadcast format to an email format; and
- (e) forwarding the reformatted message to an email server that is compatible with the email format;

wherein broadcasting includes transmitting a message from a single component on a network.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 29 is allowable for at least the reason that the combination of *Brown*, *Troen-Krasnow*, *Lewis*, *Ooe*, and *Bookspan* does not disclose, teach, or suggest at least **wherein broadcasting includes transmitting a message from a single component on a network**. Even if, arguendo, *Troen-Krasnow* discloses transmitting to a defined group of individuals, it does not disclose transmitting to all components on the network. None of *Brown*, *Lewis*, *Ooe*, and *Bookspan* cure this deficiency.

As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 29, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 29 is allowable.

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Because independent claim 29 is allowable over the cited references of record, dependent claims 30-33 (which depend from independent claim 29) are allowable as a matter of law for at least the reason that dependent claims 30-33 contain all the steps/features of independent claim 29. Therefore, the rejection to claims 30-33 should be withdrawn and the claims allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 29, dependent claims 30-33 recite further features and/or combinations of features, as are apparent by examination of the claims themselves, that are patently distinct from the cited references of record. Hence, there are other reasons why dependent claims 30-33 are allowable.

D. Claims 34-35

Claim 34 is rejected under 35 U.S.C 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow, et al* (U.S. Patent No. 6,442,250). Claim 35 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Brown* (U.S. Patent No. 6,014,711) in view of *Troen-Krasnow* (U.S. Patent No. 6,442,250) in further view of *Lewis* (U.S. Patent No. 6,513,019) in further view of *Bookspan, et al* (U.S. Patent No. 6,636,888). For at least the reasons set forth below, Applicant respectfully traverses the rejection.

Independent claim 34, as amended, recites:

34. A system for sending an electronic mail from a client in a client-server architecture, the system comprising:

- (a) means for broadcasting from a client computer a message in a non-email broadcast format, wherein the message contains the electronic email, wherein the client computer is part of a client-server architecture;
- (b) means for receiving the message at a server computer of the client-server architecture;
- (c) means for reformatting the message from the non-email broadcast format to an email format; and
- (e) means for forwarding the reformatted message to an email server that is compatible with the email format;

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wherein broadcasting includes transmitting a message from a single network component to all components on a network.

(Emphasis added).

For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features/steps of the claim at issue. Applicant respectfully submits that independent claim 34 is allowable for at least the reason that the combination of *Brown*, *Troen-Krasnow*, *Lewis*, and *Bookspan* does not disclose, teach, or suggest at least **wherein broadcasting includes transmitting a message from a single network component to all components on a network**. Even if, arguendo, *Troen-Krasnow* discloses transmitting to a defined group of individuals, it does not disclose transmitting to all components on the network. None of *Brown*, *Lewis*, and *Bookspan* cure this deficiency.

As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 34, the rejection should be withdrawn. Additionally and notwithstanding the analysis hereinabove, there are other reasons why claim 34 is allowable.

Because independent claim 34 is allowable over the cited references of record, dependent claim 35 (which depends from independent claim 34) is allowable as a matter of law for at least the reason that dependent claim 35 contains all the steps/features of independent claim 34. Therefore, the rejection to claim 35 should be withdrawn and the claim allowed.

Additionally and notwithstanding the foregoing reasons for allowability of independent claim 34, dependent claim 35 recites further features and/or combinations of features, as are apparent by examination of the claim itself, that are patently distinct from the cited references of record. Hence, there are other reasons why dependent claim 35 is allowable.

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IV. Miscellaneous Issues


Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

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CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-20 and 22-35 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned agent at (770) 933-9500.

Respectfully submitted,


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